

### **REMARKS/ARGUMENTS**

Upon entry of the instant Amendment, claims 12, 15, and 18-21 are pending. Claims 12, 13, and 18 have been amended. Claim 18 has been amended as recommended in paragraph 2 of the Detailed Official Action. Claims 12 and 13 have been amended to more particularly point out the applicant's invention. It is respectfully submitted that upon entry of the instant Amendment and consideration of the remarks below that the application is in condition for allowance.

### **CLAIM REJECTIONS – 35 U.S.C. § 103(a)**

Claim 12 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Jabr, U.S. Patent No. 6,229,632 in view of Rutledge, U.S. Patent No. 5,864,625. It is respectfully submitted that claim 12, as amended, defines patentable subject matter that is not disclosed or suggested by either the Jabr or Rutledge patents. In fact, it is respectfully submitted that the Jabr patent teaches away from the invention recited in claim 12. More particularly, claim 12 has been amended to recite an optical modulator which includes a single output port. An exemplary optical modulator with a single output port is illustrated in FIG. 1 of the instant application. The modulated RF signals at the single output port are then transmitted over an optical link to an optical receiver.

Jabr patent teaches away from such a configuration. As clearly shown in FIGs. 1 and 2 of the Jabr patent, the optical modulator disclosed therein includes a plurality of output ports, as indicated by the optical fibers 6 and 7. As shown in FIG. 2 of the Jabr patent, the optical fibers 6 or 7 are filtered by way of optical filters 8 and 9, respectively, and combined by way of a coupler 3. In other words, the Jabr patent discloses a dual-output port optical modulator and additional components including the filters 8 and 9, fibers 6 and 7 and coupler 3 in order to combine the dual outputs of the Mach-Zehnder modulator. Thus, it should be clear that the Jabr patent actually teaches away from the invention as claimed.

The Rutledge patent was cited for disclosing a free-space optical link. The Rutledge patent does not disclose, or otherwise suggest, the invention recited in the claims at issue. For all of the above reasons, the Examiner is respectfully requested to reconsider and withdraw this rejection.

Claims 13-15 and 8 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the Jabr patent in view of Sieben, et al., U.S. Patent No. 5,880,870. The Jabr patent was discussed above. The Sieben, et al. patent was cited for teaching an optical transmission system which includes a Mach-Zehnder modulator that includes an RF input port, a bias voltage input port, an optical carrier input port, and an output port. It is respectfully submitted that the Sieben, et al. patent, also, does not show the claimed subject matter. Indeed the Sieben, et al. patent discloses an optical carrier (i.e., the laser 12) at a single wavelength, in contradistinction to the invention claimed. As such, in this regard, the Sieben, et al. patent teaches away from combination with the Jabr patent and also teaches away from the invention. For these reasons and the reasons discussed above, the Examiner is respectfully requested to reconsider and withdraw the rejection of claims 13-15 and 18.


Claims 19-21 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Jabr, in view of Sieben, et al. and further in view of Webb U.S. Patent No. 6,163,394. Jabr and Sieben, et al. patents have been discussed above. The Webb patent discloses an optical carrier at a single wavelength, in contradistinction to the invention claimed. The Examiner's attention is directed, to, for example, column 2, lines 35-44 of the Webb patent. In this regard, it is respectfully submitted that the Webb patent respectfully teaches away from the invention and also teaches away from the other patents relied upon in support of the rejection. Based on

the above, the Examiner is respectfully requested to reconsider and withdraw the rejection of claims 19-21.

Respectfully submitted,

KATTEN MUCHIN ZAVIS ROSENMAN

By:

  
John S. Paniaguas  
Registration No. 31,051  
Attorney for Applicant(s)

Katten Muchin Zavis Rosenman  
525 W. Monroe Street  
Suite 1900  
Chicago, Illinois 60661-3693  
(312) 902-5200  
(312) 577-4532  
Customer No.: 27160